IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

(SPECIAL ORIGINAL JURISDICTION)

Thursday, the fifth day of August, two thousand and four

PRESENT

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No. 4912 OF 2004

BETWEEN:

The Educational Society of the Sisters of St.Joseph of Annecy – India, Visakhapatnam, Rep.by its President, Sr.Catherine, D/o Andrew Garikana, aged about 62 years, R/o Visakhapatnam.

Petitioner

And

1. The Regional Joint Director, School Education, Kakinada, East Godavari District.

2. S.Bala Nirmala Grace, Former Head Mistress, St.Ann's Girls High School, Kakinada, presently working as Headmistress, P.R.Government Girls High School, Kakinada, East Godavari District.

3. The Director of School Education, Lakdi-ka-pool, Hyderabad.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court

will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in issuing the proceedings in Lr.Rc.No.8233/B2/01, dt.20-02-2004 calling for the remarks from the Writ Petitioner for the appeal filed by the 2nd respondent against the order of dismissal dt.13-12-2003 is illegal, arbitrary, highhanded, without jurisdiction and consequently direct the 1st respondent to dismiss the appeal filed by the 2nd respondent.

For the Petitioner: Mr.Y.V.Ravi Prasad, Advocate.

For the Respondents: G.P., for School Education.

The Court made the following :

**ORDER:**

This Writ Petition has been filed against the action of the second respondent in filing the appeal before the first respondent, as the appellate authority is the third respondent, but not the first respondent.

It is stated by both the counsel appearing for the parties that subsequent to filing of the Writ Petition, the first respondent forwarded the appeal filed by the second respondent to the third respondent vide his proceedings dated 28-6-2004, as such, no orders are necessary in this Writ Petition.

The Writ Petition is accordingly dismissed. No costs.

V.ESWARAIAH,J

5th August, 2004.

Shr/Dvs

Asst.Registrar.

To

1. The Regional Joint Director, School Education, Kakinada, East Godavari District.
2. S.Bala Nirmala Grace, Former Head Mistress, St.Ann's Girls High School, Kakinada, presently working as Headmistress, P.R.Government Girls High School, Kakinada, East Godavari District.
3. The Director of School Education, Lakdi-ka-pool, Hyderabad.
4. Two CCs to the GP., for School Education.
5. Tw. CD copies.